

1 **ESSB 5888 - H AMD 000647 WITHDRAWN 4-20-93**

2 By Representative Jones

3 On page 12, after line 8, insert the following:

4 "Sec. 24. RCW 41.40.710 and 1992 c 119 s 3 are each amended  
5 to read as follows:

6 (1) A member who is on a paid leave of absence authorized by  
7 a member's employer shall continue to receive service credit as  
8 provided for under the provisions of RCW 41.40.610 through  
9 41.40.740.

10 (2) Except as specified in subsection (3) of this section, a  
11 member shall be eligible to receive a maximum of two years service  
12 credit during a member's entire working career for those periods  
13 when a member is on an unpaid leave of absence authorized by an  
14 employer. Such credit may be obtained only if the member makes  
15 both the plan II employer and member contributions plus interest as  
16 determined by the department for the period of the authorized leave  
17 of absence within five years of resumption of service or prior to  
18 retirement whichever comes sooner. The contributions required  
19 shall be based on the average of the member's compensation earnable  
20 at both the time the authorized leave of absence was granted and  
21 the time the member resumed employment.

22 (3) A member who leaves the employ of an employer to enter the  
23 armed forces of the United States shall be entitled to retirement  
24 system service credit for up to four years of military service.

25 (a) The member qualifies for service credit under this  
26 subsection if:

27 (i) Within ninety days of the member's honorable discharge  
28 from the United States armed forces, the member applies for  
29 reemployment with the employer who employed the member immediately  
30 prior to the member entering the United States armed forces; and

31 (ii) The member makes the employee contributions required

1 under RCW 41.40.650 plus interest as determined by the department  
2 within five years of resumption of service or prior to retirement,  
3 whichever comes sooner.

4 (b) Upon receipt of member contributions under (a)(ii) of this  
5 subsection, the department shall bill the employer for its  
6 contribution required under RCW 41.40.650 for the period of  
7 military service, plus interest as determined by the department.

8 (c) The contributions required shall be based on the average  
9 of the member's compensation earnable at both the time the member  
10 left the employ of the employer to enter the armed forces and the  
11 time the member resumed employment.

12 (4) After completing twenty-five years of creditable service,  
13 any member who is a veteran of the Vietnam conflict may have  
14 service in the armed forces credited to him or her as a member  
15 whether or not he or she left the employ of an employer to enter  
16 the armed service: PROVIDED, That in no instance under this  
17 subsection may military service in excess of five years be  
18 credited: AND PROVIDED FURTHER, That in each instance the member  
19 must restore all withdrawn accumulated contributions, which  
20 restoration must be completed within five years of membership  
21 service following the first resumption of employment or complete  
22 twenty-five years of creditable service. In no instance under this  
23 subsection may military service be credited to any member who is  
24 receiving full military retirement benefits pursuant to Title 10  
25 United States Code. For the purposes of this section, "veteran of  
26 the Vietnam conflict" means a person who (a) served during the  
27 period beginning August 5, 1964, and ending May 7, 1975, (b)  
28 received an honorable discharge or received a discharge for  
29 physical reasons with an honorable record, and (c) meets one or

5888-S.E AMH JONE MCLA 8

1 more of the criteria listed in RCW 41.04.005 (1) and (2)."

2 Renumber the remaining sections consecutively.

EFFECT: PERS II members who are Vietnam veterans may count up to five years of prior military service toward retirement in PERS if they have at least 25 years of service credit.